

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GAIL K. DIAMOND,

Plaintiff,

v.

JOHN MOSBY, et al.,

Defendants.

CASE NO. C22-1808JLR

ORDER

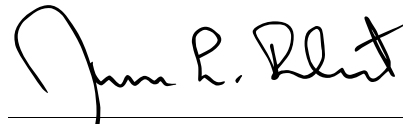
Before the court is *pro se* Plaintiff Gail K. Diamond's motion to dismiss this action without prejudice. (Mot. (Dkt. # 30).) The deadline to respond to the motion has passed and Defendants John Mosby, Michael Pham, and Jennifer Sandler ("Defendants") have not filed any opposition papers.¹ (*See generally* Dkt.) Accordingly, the court exercises its discretion to rule on the motion before the noting date. *See* Fed. R. Civ. P. 1 //

¹ The court construes Defendants' failure to timely respond as "an admission that the motion has merit." *See* Local Rules W.D. Wash. LCR 7(b)(2).

1 (stating that the Federal Rules of Civil Procedure should be construed “to secure the just,
2 speedy, and inexpensive determination of every action and proceeding”).

3 Federal Rule of Civil Procedure 41(a)(2) authorizes the court to dismiss an action
4 without prejudice at the plaintiff’s request “on terms that the court considers proper.”
5 Fed. R. Civ. P. 41(a)(2). The court has reviewed the motion and concludes that dismissal
6 is appropriate. The court therefore GRANTS Ms. Diamond’s motion (Dkt. # 30) and
7 DISMISSES this action without prejudice.

8 Dated this 25th day of April, 2024.

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10 JAMES L. ROBART
11 United States District Judge
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